

1 FOLGER LEVIN & KAHN LLP
Thomas F. Koegel (CSB No. 125852, tkoegel@flk.com)
2 J. Daniel Sharp (CSB No. 131042, dsharp@flk.com)
Ernst A. Halperin (CSB No. 175493, ehalperin@flk.com)
3 Embarcadero Center West
275 Battery Street, 23rd Floor
4 San Francisco, CA 94111
Telephone: (415) 986-2800
5 Facsimile: (415) 986-2827

6 Special Counsel to
Appellant E. Lynn Schoenmann
7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 SAN FRANCISCO DIVISION
11

12 *In re* GERALD MCKINNEY,
13 *Debtor,*
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Case No. C-07-04653 MMC

On Appeal from the United States Bankruptcy
Court for the Northern District of California,
Bankruptcy Case No. 06-30314-TEC

**ATTACHMENT "A" (STIPULATION) TO
MOTION FOR ADMINISTRATIVE
RELIEF PURSUANT TO LOCAL RULES
7-11 AND 6-2 FOR AN ORDER STAYING
BRIEFING SCHEDULE ON APPEAL**

WHEREAS the Bankruptcy Court, in an opinion entered on August 27, 2007, directed Bankruptcy Trustee E. Lynn Schoenmann to submit time records and narrative statement in connection with her application for compensation within 30 days, and stated that if no time records were submitted the Court would enter an order denying her fee request with prejudice;

WHEREAS Bankruptcy Trustee E. Lynn Schoenmann appealed from the order contained in the August 27, 2007 opinion;

WHEREAS, while respectfully disagreeing with the portion of the Court's order regarding time records, the Trustee still wished to comply with the Court's August 27, 2007 order while preserving her appeal and submitted a narrative statement without time records;

WHEREAS, the Trustee anticipates that the Bankruptcy Court will shortly enter an order denying her fee request with prejudice, and she will then take an appeal from that order and move to consolidate the appeal with the current appeal;

WHEREAS the briefing schedule for the currently-set appeal calls for the Bankruptcy Trustee's opening brief to be due on October 25, 2007 and appellee's brief to be due 20 days thereafter;

//

//

//

//

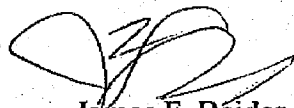
//

//

THE PARTIES, by and through their counsel, in the interests of conserving judicial resources and the resources of the parties and eliminating duplicative briefing in connection with the two appeals, do hereby stipulate to the Bankruptcy Trustee's Motion for Administrative Relief for an order staying the briefing in the current appeal (Appeal No. CV 07-04653 MMC) until an appeal has been taken from the Bankruptcy Court's anticipated order denying the Trustee's fee request with prejudice, so that a joint briefing schedule may be set for the consolidated appeals.

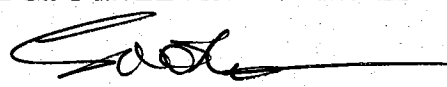
Dated: October 18, 2007

LAW OFFICES OF JAMES F. BEIDEN


James F. Beiden
Counsel to Debtor
Gerald McKinney

Dated: October 18, 2007

FOLGER LEVIN & KAHN LLP


Ernst A. Halperin
Special Counsel to Appellant
E. Lynn Schoenmann

84019\4001\571916.1